



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107TH Street
Milwaukee, Wisconsin 53224-1121
TTY: Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 58
Commerce #: 53006-9999-57-A
BRRTS #: 03-14-151955
Site Name: Jerry's Service Garage
Site Address: 857 State Road 49, Brownsville, 53006
Site Manager: Denise Nettesheim
Address: 3911 Fish Hatchery Road
City, State Zip: Fitchburg, WI 53711-5367
Phone: 608-275-3209
e-mail: Denise.Nettesheim@Wisconsin.gov
Bid Manager: Stephen D. Mueller
Address: 9316 North 107th Street
City, State Zip: Milwaukee, Wisconsin 53224-1121
Phone: (414) 357-4704
e-mail: Stephen.Mueller@Wisconsin.gov

Bid-Start Date:	December 15, 2008
Questions must be received by (See Section 2 (B)):	December 29, 2008, 4:00 PM
Responses will be posted by (See Section 2 (B)):	January 16, 2009
Bid-End Date and Time:	January 30, 2009, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Xer-Lith Printing-Madison, 131 W Wilson St, Madison, WI 53703
Phone: (608) 257-8900 Fax: (608) 257-8900

SECTION 2 – Site-Specific Bid Requirements

General Comments

Five underground storage tanks (USTs) containing leaded/unleaded gasoline and diesel fuel were removed from the former service station in June 1999. From 1999 to May 2003, a site investigation was conducted. The stratigraphy across the site generally consists of a clay layer with some intermittent silty sand layers to depths of about 8 to 12 feet below ground surface (bgs). Underlying the clay and silty sand is weathered dolomite bedrock that extends to approximately 20 to 24 feet bgs, where competent bedrock is reported. Static groundwater levels at the site are generally 17 to 25 feet bgs and shallow groundwater flows to the east/southeast across the site.

Free product has been historically detected in wells MW100, MW200R, and MW1100. Municipal well #2 is located approximately 700 feet northeast of the site.

In 2004, a 4-inch diameter extraction well was installed to replace MW200 which had been dry for a period of time. The well (MW200R) was installed to a depth of 40 ft. with a 20-foot screened interval.

Minimum Remedial Requirements

1. Groundwater monitoring

Conduct one year of groundwater sampling and analysis according to the following schedule. Analyze the groundwater samples for petroleum volatile organic compounds (PVOCs) and naphthalene. In the first round only, also sample for polycyclic aromatic hydrocarbons (PAHs) in wells MW100 and MW200R.

Natural attenuation (NA) parameters must be sampled for in all monitoring wells in one round. At a minimum, NA parameters must include dissolved oxygen, ferrous iron, nitrate, and sulfate.

Well	Quarterly	Semi-Annually	Annually
MW100, MW200R, MW1100, PZ2	X		
MW300, MW500, MW600, MW1200, MW1300, MW1400, MW1500, PZ1,		X	
MW700, MW800, MW1000			X

Tabulate all historical and current groundwater sampling data into one table.

Groundwater elevations must be measured in all monitoring wells, referenced to mean sea level, and reported in tabular form; groundwater flow diagrams prepared; and horizontal and vertical gradients calculated for each sampling round.

Inspect all monitoring wells during each round of sampling for the presence of free product. If present, measure the thickness of the product in the wells with a product/groundwater interface probe and report (tabulate) groundwater and product elevations and thickness of product measured. Complete these inspection and product measurement activities prior to well purging and sampling.

If free product is present in any of the monitoring wells, reasonable efforts and care shall be employed to obtain a representative groundwater sample that contains no free product. Bidders shall submit, along with the bid response, a copy of their firm's standard operating procedure(s) that describe how groundwater samples will be

collected when free product is present in monitoring wells. Bids will be considered non-compliant if this information is not included with the bid response.

The submitted bid for this scope of work must include the analytical and sampling costs for all wells listed above for all rounds, regardless of whether or not free product may be present in one or more monitoring wells.

2. Waste management and disposal

The bid shall include costs for product removal, if applicable, to facilitate groundwater sampling. The bid shall include costs for proper storage and disposal of all investigative / remediation wastes, including product.

3. Reporting

Upon completion of the SOW discussed above, evaluate site conditions and all historical soil and groundwater analytical data, and evaluate the potential for closure consistent with the requirements of ch. NR 726, Wis. Adm. Code.

If closure **cannot** be realized, prepare and submit a report to the WDNR (copy to Commerce) that documents the work completed in accordance with this bid specification and includes all required and customary data and documentation (including, but not limited to, results tables, isoconcentration and groundwater flow maps, lab reports and chain-of-custody forms, etc.). All maps must be computer generated, with accurate scales, relational dimensions, site features, property boundaries, etc., as is required by all applicable codes and requirements for eventual listing on the GIS registry. If closure is not realized, then the cost cap established by this bid will be modified less the amount of the closure-related costs.

If closure **can** be realized, prepare and submit a complete closure report and GIS Registry packet (copy to Commerce) for closure consideration by the Department of Natural Resources. The closure report must include all historical data and activities, and include the data results and documentation of the work activities completed in accordance with this bid. All maps submitted with the closure request must be computer generated, with accurate scales, relational dimensions, site features, property boundaries, etc., as is required by all applicable codes and requirements for listing on the GIS registry.

The report must be submitted no later than 15 months after a contract has been executed between the site owner (or responsible party) and the company contracted to conduct the bid scope of work.

Regarding the 2nd Page of the Bid Response:

If necessary, subsequent cost caps may be determined using page 2 following the successful completion of the activities under the initial cost cap. Approval shall be obtained through a request to Commerce for a change order. The request shall include total costs incurred to date under the existing cap. The subsequent cost cap amount may be adjusted up (or down) based on the outcome of the specified work activities.

To save costs, only portions of the case file are at the copy shop. A review of historical file documents by the winning bidder will likely be required in order to prepare a comprehensive closure request. The entire file should be reviewed at the WDNR Fitchburg office.

This bid specification is prescribed by the DNR and Commerce and must be adhered to in full. If changing site conditions or other circumstances will prevent the completion of a portion of the bid specification, the bidder under contract will be required to contact the DNR and Commerce hydrogeologists to discuss alterations to the bid specification and cost cap. Failure to obtain pre-approval of alterations to the bid specifications and cost cap may result in actions against the bidder and/or bidding company in accordance with Comm 47.67 or 47.70.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the

PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of

the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE – BID ROUND 58

(1st Page)

Department of Commerce PECFA Program

Site Name: Jerry's Service Garage

Commerce #: 53006-9999-57-A

BRRTS #: 03-14-151955

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE – BID ROUND 58**(2nd Page)**

Department of Commerce PECFA Program

Site Name: Jerry's Service Garage**Commerce #: 53006-9999-57-A****BRRTS #: 03-14-151955****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Groundwater monitoring, per schedule.	\$	
2	Waste disposal (assume 4 drums).	\$	
3a	Technical report preparation & web-reporting		
3b	GIS Registry packet preparation	\$	
	PECFA Claim Preparation	\$	
	Total Bid Amount	\$	
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)			
•	Closure request & GIS Registry packet	\$	